IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY PETITION NO.731 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO.651 OF 2007

In the matter of the Scheme of Amalgamation of BUC Mechanical Equipments Pvt. Ltd.
With
Eirich Transweigh India Pvt.Ltd.

Eirich Transweigh India Pvt.Ltd. ... Petitioner.

....

Mr. Jyostna Pardhi for the Petitioner.
Mr. C.J. Joy with N.D. Sharma, Regional Director.

....

CORAM : DR. D.Y.CHANDRACHUD,J.

21st April 2007.

P.C. :

. This Company Petition is companion to Company Petition 730 of 2006 and is filed by the Transferee.

2. By an order dated 16th June 2006, a meeting of the equity share holders was directed to be convened. Meetings of secured and unsecured creditors were dispensed with on an undertaking to

furnish individual notices. A meeting of the equity share holders was accordingly held and the Resolution was carried by the requisite majority. The Chairman's report dated 28th July 2006 has been filed. An affidavit has been filed to the effect that individual notices have been served on the secured and unsecured creditors.

3. Under the Scheme all the assets and liabilities of the Transferor are to stand vested in the Transferee. The Regional Director states through Counsel that all the requisitions of the Regional Director have been duly complied with and that the scheme as proposed is not contrary to the public interest or prejudicial to the interest of the share holders or creditors.

4. There is no objection to the Scheme and hence, since all the requisite statutory compliances have been fulfilled, the Company Petition is accordingly made absolute in terms of prayer clauses (a) to (i).

5. The Petitioner to pay costs of Rs.2500/- to the Ministry of Law & Justice and Official Liquidator.

6. Filing and issuance of drawn up order is dispensed with. All authorities concerned to act on an authenticated copy of order and Scheme annexed to the Petition issued by the Office of this Court.